

**Springerville Planning & Zoning Commission  
Regular Meeting Minutes  
April 8, 2009**

Present: Leah Chavez, Gary Deery, Robert MacKenzie, Ron Cavanaugh, Dan Muth

Staff: Larisa Bogardus, Zoning Administrator

Public: Kevin Burk, Wayne Kinman, Vipul Shah, Theresa Perry, George Ziegler, Crow Castillo, Ronald Thebeau, Council Liaison Bill Lucas

**1. CALL TO ORDER**

Chairman Leah Chavez called the meeting to order at 7:01 p.m.

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|------------|----------|------------------|
| Roll Call: | Present: | Leah Chavez      |
|            |          | Gary Deery       |
|            |          | Robert MacKenzie |
|            |          | Ron Cavanaugh    |
|            |          | Dan Muth         |

**PUBLIC PARTICIPATION:** Ronald Thebeau said he wanted to address item 6 on the agenda. Chairman Chavez said the public would be allowed to comment when the item comes up.

**ADMINISTRATION**

2. **MINUTES:** Muth/Cavanaugh motion to approve the minutes of the regular meeting held March 11, 2009, and the work session held March 25, 2009. Chairman Chavez noted a typo on the March 11 minutes. Passed 5-0.
3. **ZONING ADMINISTRATOR'S REPORT:** Ms. Bogardus said staff are working on the 09-10 budget and plan a retreat with council later in the month to set goals. Annexation surveys are coming in steadily, with most opposed. Staff are mapping the responses to see if smaller areas could be annexed. Staff have been doing an outreach to license all businesses operating prior to the Town adopting its licensure requirement and response has been very good. One staff person will be attending the Arizona Building Officials training this month. A Walk to School program has been successful, which is relevant to planning because sidewalks, trails and bike routes are part of transportation planning. Chairman Chavez asked if there was going to be a Valle Redondo Days. Ms. Bogardus said the joint councils are organizing a Round Valley Roundup and she would forward information as it becomes available.
4. **LIAISON REPORTS:** Commissioner MacKenzie did not attend the April 1 meeting. Councilman Lucas said no council actions pertained to P&Z.

**OLD BUSINESS**

5. **CUP 2008-C011:** Consider extending a conditional use permit allowing Vipul Shah to develop apartments on East Main Street (parcel 105-47-047C). Mr. Shah said he has not been able to obtain financing but would like to continue trying. MacKenzie/Cavanaugh motion to extend the permit for 12 months. Passed 5-0.

6. **CUP 2009-C001:** Consider an application by Theresa Perry for a conditional use permit to house more than 4 dogs from time to time at 108 N. C St. (parcel 105-42-001).  
Commissioner Muth and Ms. Bogardus declared conflicts. Wayne Kinman said the Town has a 4 dog policy and variations should be a dire necessity. Granting this permit would set a precedent.  
George Ziegler asked what is "time to time"? Ms. Perry said right now the dogs are there a lot, but she and her boyfriend will probably get married and the dogs would be there most of the time. Mr. Ziegler said the barking can be bothersome at times and he opposed the permit.  
Mr. Thebeau said he was interested as a citizen on behalf of his in-laws and as a councilman because the ordinance was recently revised. He said the application appears to be complaint-drive as three people were present who objected to the barking.  
Ms. Perry said she had been warned by animal control about the barking; she disciplines her dogs; and they are not the only ones in the neighborhood that bark. Commissioner MacKenzie observed there is the letter of the law and the spirit in which it is intended. He felt the matter should be resolved.  
Commissioner Cavanaugh said the Town cannot dictate personal relationships by telling a couple they must get rid of animals if they move in together. He doesn't play the good old boy game. "Dogs bark. That's what they do."  
Chairman Chavez objected to the good old boy reference and said she would vote however she chooses.  
MacKenzie/Cavanaugh motion to approve the permit with the recommended conditions. Failed 2-2, with Chairman Chavez and Commissioner Deery opposed.  
Chavez/Cavanaugh motion to table the matter for legal advice regarding the tie. Passed 3-1, with Commissioner Deery opposed.
7. **MASTER PLAN:** Discuss developing policies and interpretations associated with the municipal master plan.  
Chavez/Muth motion to move the matter to the April 22 work session. Passed 5-0.  
Ms. Bogardus asked Commissioner Muth to address this item. He said the updated 2007 master plan addresses green space, but not growth and development, which was included in the original 1995 master plan. He feels the two documents should be merged to address all the community's needs.  
Commissioner Cavanaugh suggested a work session to review the documents. Ms. Bogardus said she had included copies of the 1995 plan and was working on getting copies of the 2007 plan. The regular work session date is March 25 and packets will be ready by the end of next week.
8. **ADJOURNMENT:** MacKenzie/Muth motion to adjourn. Passed 5-0.

The meeting adjourned at 7:32 p.m.

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Leah Chavez, Chairman